

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

APRIL 1, 2008

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, April 1, 2008 at 3:20 p.m., in Committee Room #2**. The following members were present:

**The Honorable Cleta Winslow, Chair
The Honorable C. T. Martin, Vice-Chair
The Honorable Carla Smith
The Honorable Anne Fauver
The Honorable Joyce Sheperd**

The following member was absent:

The Honorable H. Lamar Willis

Others present at the meeting were: Jerry Deloach, Dianne Mitchell, and Amber Robinson, Law Department; Deputy Chief Walter Parker, Atlanta Fire and Rescue Department; Deputy Chiefs Carlos Banda and Peter Andresen, Director Malachi Hull and Sgt. Davis, Police Department; Raines Carter, Solicitor; the media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:20 p.m. after declaring a quorum present. She then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

CONSENT

C. RESOLUTIONS

Claims with favorable recommendations:

08-R-0563 (1) Claim of **JAK Productions, Inc.**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on January 10, 2008 at 875 West Paces Ferry Road. **\$542.61**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-0564 (2) Claim of **Sandra Alexander**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on December 11, 2007 at 875 West Paces Ferry Road. **\$596.81**
- 08-R-0565 (3) Claim of **Mark Kaufman**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on March 2, 2006 at 75 Peachtree Place. **\$616.62**
- 08-R-0566 (4) Claim of **Adam Peppers**, for damages alleged to have been sustained as a result of a vehicular accident on October 13, 2007 at Interstate 285 West near Georgia 400 North. **\$692.28**
- 08-R-0567 (5) Claim of **James Durham**, for damages alleged to have been sustained as a result of driving over a pothole on October 16, 2007 at 1238 Dekalb Avenue. **\$701.78**
- 08-R-0568 (6) Claim of **Victor Lamont McRae**, for vehicular damages alleged to have been sustained when ice fell from the City's Radio Tower on January 17, 2008 at 315 Chester Avenue, SE. **\$1,060.54**
- 08-R-0569 (7) Claim of **J. D. Ingram**, for vehicular damages alleged to have been sustained when ice fell from the City's Radio Tower on January 17, 2008 at 315 Chester Avenue, SE. **\$1,101.50**
- 08-R-0570 (8) Claim of **Caroline Cunningham**, for damages alleged to have been sustained as a result of walking on a broken water meter lid on May 12, 2007 at 676 Glenwood Avenue. **\$1,500.00**
- 08-R-0571 (9) Claim of **Teresa Fletcher**, for bodily injuries alleged to have been sustained when her foot was lacerated on a broken street sign post on June 10, 2007 at 608 Fraser Street. **\$1,809.00**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-0572 (10) Claim of **Tomoko Hambrick**, for vehicular damages alleged to have been sustained when ice fell from the City's Radio Tower on January 17, 2008 at 315 Chester Avenue, SE.
\$1,864.68
- 08-R-0573 (11) Claim of **Jonathan Low**, for damages alleged to have been sustained as a result of a broken water main on April 11, 2007 at 853 Ponce de Leon Terrace.
\$2,083.92
- 08-R-0574 (12) Claim of **Ida Cogger**, for damages alleged to have been sustained as a result of a trip and fall due to a sidewalk defect on January 3, 2007 near 1688 Peachtree Street.
\$2,038.20
- 08-R-0575 (13) Claim of **Magdalene Reese, through her attorney, Melvin Robinson**, for damages alleged to have been sustained as a result of stepping into an open water meter box on June 2, 2007 at 1710 Defoors Place.
\$2,190.00
- 08-R-0576 (14) Claim of **Johnny L. White, Jr. and Maxine White**, for vehicular damages alleged to have been sustained when ice fell from the City's Radio Tower on January 17, 2008 at 315 Chester Avenue, SE.
\$2,484.13

Claims with unfavorable recommendations:

- 08-R-0577 (15) Claim of **Garnett Group, Inc., through their attorney, Mary Carole Cooney**, for damages alleged to have been sustained as a result of interference with business and contractual relationships for a solid waste disposal contract.
- 08-R-0578 (16) Claim of **Raleigh L. Jennings**, for damages alleged to have been sustained as a result of a clerical error causing his vehicle to be towed on December 10, 2007 in Dekalb County, GA.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0579 (17) Claim of **Steven Simon**, for damages alleged to have been sustained as a result of a civil action filing in the State Court of Fulton County on November 15, 2007 at 185 Central Avenue.
- 08-R-0580 (18) Claim of **Mary Elfers**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on December 29, 2007 at the corner of North Avenue and Parkway Drive, NE.
- 08-R-0581 (19) Claim of **Chantel Evans and Edwin Varner, through their attorney, Sam Starks**, for damages alleged to have been sustained as a result of a sewer separation project beginning in April 2007 at 1027 Ashby Grove.
- 08-R-0582 (20) Claim of **Gracie Hutcherson, through her attorney, Sam Starks**, for damages alleged to have been sustained as a result of a sewer separation project beginning in April 2007 at 93 Parsons Place.
- 08-R-0583 (21) Claim of **Brian Reid, through his attorney, Matthew Billips**, for damages alleged to have been sustained as a result of an employment dispute on February 14, 2007 with the Atlanta Police Department at 675 Ponce de Leon Avenue.
- 08-R-0584 (22) Claim of **Progressive American Insurance Company, as subrogee for Willie Thomas**, for damages alleged to have been sustained as a result of a vehicle accident on September 12, 2007 at 1161 Cascade Road.
- 08-R-0585 (23) Claim of **James Dyson, through his attorney, Melvin L. Dansby**, for damages alleged to have been sustained as a result of injuries sustained due to debris falling from a City vehicle on July 13, 2007 at 804 Hightower Road.
- 08-R-0586 (24) Claim of **Kenya Jackson**, for damages alleged to have been sustained as a result of driving over a pothole on May 25, 2007 at Jones Street and Marietta Street.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0587 (25) Claim of **Elizabeth Vickerman**, for damages alleged to have been sustained as a result of driving over a broken catch basin on December 27, 2007 at Peachtree Road and Lindbergh Drive.
- 08-R-0588 (26) Claim of **Bonnie S. Kline**, for damages alleged to have been sustained as a result of striking a metal plate on February 5, 2008 at 1623 Memorial Drive, SE.
- 08-R-0589 (27) Claim of **Randall Farmer**, for damages alleged to have been sustained as a result of a deposit owed on a water service account on January 17, 2008 at 321 Clifton Road.
- 08-R-0590 (28) Claim of **Simonetta Moreschini, through her attorney, Valerio Battistelli**, for damages alleged to have been sustained as a result of a slip and fall incident at Terminal E on July 22, 2007 at Hartsfield-Jackson Atlanta International Airport.
- 08-R-0591 (29) Claim of **Codie Harris**, for damages alleged to have been sustained during a sewer separation project on November 6, 2007 on Joseph E. Lowery Boulevard.
- 08-R-0592 (30) Claim of **Leonard Godwin**, for damages alleged to have been sustained as a result of striking a recessed storm grate on November 12, 2007 on Memorial Drive.
- 08-R-0593 (31) Claim of **GEICO, as subrogee of Marsha Tate**, for damages alleged to have been sustained as a result of an automobile accident on August 3, 2007 at 2500 Moreland Avenue.
- 08-R-0594 (32) Claim of **Thomas I. Puett**, for damages alleged to have been sustained as a result of striking a metal plate on December 13, 2007 at 1475 Peachtree Street and West Peachtree Street.

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0595 (33) Claim of **Debbie S. Joe, through her attorney, Mary J. Huber**, for damages alleged to have been sustained due to litigation involving Civil Action No. 2007CV143961 in December 2007 at Fulton County Superior Court.
- 08-R-0596 (34) Claim of **Jason Ivie**, for damages alleged to have been sustained due to paint splattering on his vehicle during the striping of the roadway on September 25, 2007 on Mt. Paran Road.
- 08-R-0597 (35) Claim of **Ashley Bryant, through her attorney, Toly Siamos, Esq.**, for bodily injuries alleged to have been sustained after being struck by an electric transport vehicle on March 13, 2007 at Hartsfield-Jackson Atlanta International Airport.
- 08-R-0598 (36) Claim of **Beverly Kenda**, for vehicular damages alleged to have been sustained from driving over a pothole in the road on April 11, 2007 at 2121 Faulkner Road.
- 08-R-0599 (37) Claim of **State Farm Insurance Companies, as subrogee of Jeffrey A. Thompson**, for property damages alleged to have been sustained from flooding due to a water main break on April 11, 2007 at 2750 Northside Drive, NW.
- 08-R-0600 (38) Claim of **The CEI Group, Inc., as subrogee of SimplexGrinnell**, for vehicular damages alleged to have been sustained due to an automobile accident on May 17, 2007 at Interstate 20 and Cherokee Avenue.
- 08-R-0601 (39) Claim of **Tammy and Stephan Crescenzo, through their attorney, Benjamin S. Persons, IV, Esq.**, for bodily injuries alleged to have been sustained from the consumption of contaminated food on August 25, 2007 at Hartsfield-Jackson Atlanta International Airport.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0602 (40) Claim of **Dale Moore, through his attorney, Justin H. Hayes, P. C.**, for bodily injuries alleged to have been sustained from a slip and fall incident on July 27, 2007 at Hartsfield-Jackson Atlanta International Airport.
- 08-R-0603 (41) Claim of **Yetunde Jude, through her attorney, Sam L. Starks, Esq.**, for damages alleged to have been sustained from storm sewer overflows on a continuous basis at 2203 Tiger Flowers Drive, NW.
- 08-R-0604 (42) Claim of **Garrett L. Bradford**, for vehicular damages alleged to have been sustained from an automobile incident on May 15, 2007 at 1017 Saint Charles Avenue.
- 08-R-0605 (43) Claim of **Gwendolyn Williams, on behalf of deceased son, Terron Williams, through her attorney, Anton L. Rowe, Esq.**, for damages alleged to have been sustained due to a wrongful death incident on July 25, 2007 at 4100 Wendell Drive, #228.
- 08-R-0606 (44) Claim of **MARTA, Office of Risk Management, c/o Sylvia Crisp**, for vehicular damages alleged to have been sustained from an automobile accident on September 17, 2007 at Donald Lee Hollowell Parkway, NW at Northside Drive, NW.
- 08-R-0607 (45) Claim of **David M. Wofford, through her attorney, Sam L. Starks, Esq.**, for property damage allegedly sustained from a sewer backup on March 15, 2007 at 1805 Brewer Boulevard, SW.
- 08-R-0608 (46) Claim of **Margie Walker, through her attorney, Joel H. Roth, Esq.**, for bodily injuries allegedly sustained from stepping into an open sanitary sewer meter on March 3, 2006 at 3745 Collier Drive.
- 08-R-0609 (47) Claim of **Robert Wise, Jr.**, for damages allegedly sustained as a result of driving over an unsecured metal plate on November 6, 2007 at 925 Joseph E. Lowery Boulevard.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0610 (48) Claim of **EMC Insurance Companies, as subrogee of B & T Real Estate Investors, LLC**, for damages alleged to have been sustained as a result of a water main break on July 12, 2007 at 212 Edgewood Avenue.
- 08-R-0611 (49) Claim of **Sonia and Jerome Edwards, through their attorney, Paul Mazur**, for damages alleged to have been sustained from a slip and fall on August 31, 2007 at Hartsfield-Jackson Atlanta International Airport.
- 08-R-0612 (50) Claim of **Carl Carter**, for damages alleged to have been sustained during a police shooting on February 24, 2007 at 2018 Bolton Road.
- 08-R-0613 (51) Claim of **City of College Park, through its attorney, Michael Williams**, for damages alleged to have been sustained as a result of an underpayment of excess tax proceeds from 1996 through 2004.
- 08-R-0614 (52) Claim of **Gregg Benton**, for damages alleged to have been sustained as a result of a water main break on December 7, 2007 at 3620 Stone Road.
- 08-R-0615 (53) Claim of **Sandy Irving**, for damages allegedly sustained as a result of driving over an unsecured metal plate on January 24, 2007 at Spring Street and 16th Street.
- 08-R-0616 (54) Claim of **Mary Thomas**, for damages allegedly sustained as a result of driving over an unsecured metal plate on February 23, 2007 at Spring Street and 16th Street.
- 08-R-0617 (55) Claim of **Bhaugpattie Naraine, through her attorney, Horatio Edmondson**, for damages alleged to have been sustained as a result of a slip and fall on December 5, 2006 at Margaret Mitchell Square at Peachtree Street and Forsyth Street.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0618 (56) Claim of **Marco Perry**, for damages allegedly sustained as a result of driving over an unsecured metal plate on November 6, 2007 at 925 Joseph E. Lowery Boulevard.
- 08-R-0619 (57) Claim of **Nellie Brantley**, for damages alleged to have been sustained as a result of a sewer back-up on December 8, 2007 at 923 Forrest Circle.
- 08-R-0620 (58) Claim of **Malvin Patterson**, for damages alleged to have been sustained as a result of an automobile accident on September 28, 2007 at Electric Avenue and Magnolia Street.
- 08-R-0621 (59) Claim of **Leslie Paulin**, for damages alleged to have been sustained as a result of driving over a pothole on November 1, 2007 at the intersection of Kingsboro Road and Lenox Road.
- 08-R-0622 (60) Claim of **Schartie' Ane' Hillard**, for damages alleged to have been sustained as a result of an arrest on October 21, 2007 in Decatur, GA.
- 08-R-0623 (61) Claim of **Lucy Smith**, for damages alleged to have been sustained as a result of a tree falling on August 24, 2007 at 426 Hardendorf Avenue.
- 08-R-0624 (62) Claim of **Gregory Lewis Conner**, for damages alleged to have been sustained as a result of driving over an open manhole on November 21, 2007 at the intersection on Connecticut Avenue and New York Avenue.
- 08-R-0625 (63) Claim of **Andrea Kastner**, for damages alleged to have been sustained as a result of a broken water pipe on July 24, 2006 at 869 Virginia Avenue, NE at John Howell Park.
(Councilmember Smith made a motion to approve Items C1-C63)

FAVORABLE

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D. ORDINANCE FOR FIRST READING

- 08-O-0640 (1) An Ordinance by Public Safety and Legal Administration Committee amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$56,288.34 and \$28,144.17, from Grant Funds from the United States Department of Justice Bulletproof Vest Partnership, and matching funds in the amount of \$28,144.17 from the General Fund Budget; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

REGULAR

E. ORDINANCES FOR SECOND READING

- 08-O-0488 (1) A **Substitute** Ordinance by Public Safety and Legal Administration Committee amending Section 78-57 of the Code of Ordinances of the City of Atlanta in order to bring the Fire Safety Code of the City of Atlanta into compliance with current Rules and Regulations of the Fire Commissioner for the State of Georgia; and for other purposes.
(Councilmember Martin made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE

- 08-O-0557 (2) An Ordinance by Councilmember Ivory L. Young, Jr. **as amended by Public Safety and Legal Administration Committee** to amend the City of Atlanta Code of Ordinances, Article VIII, Chapter 106, Section 106-401 et seq. and specifically Section 106-403, so as to add an additional area as a Drug-Free Commercial Zone; to repeal conflicting ordinances; and for other purposes.
(Councilmember Martin made a motion to approve as amended.)

FAVORABLE AS AMENDED

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F. RESOLUTIONS

- 08-R-0626 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims in the case of Lamont Johnson v. City of Atlanta and APD Officer M. H. Payne, United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action File No. 1:06-CV-1706-AJB, in the amount of \$20,000.00; authorizing said payment to be charged to and paid from Fund 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-Departmental); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Martin made a motion to forward with no recommendation on condition.)

FORWARDED WITH NO RECOMMENDATION ON CONDITION

- 08-R-0641 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the Department of Police, to apply for and accept a grant from the U.S. Department of Justice, Bullet Proof Vest Partnership, in an amount not to exceed \$28,144.17, to be matched with a maximum of \$28,144.17 to procure body armor for Atlanta Police Officers; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

- 08-R-0642 (3) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the Department of Police, to apply for a grant from the Georgia Criminal Justice Coordinating Council, in the amount of approximately \$100,000.00, for the purpose of providing funds for police overtime patrols; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 08-R-0643 (4) A Resolution by Public and Legal Administration Committee authorizing the Mayor or her designee, to apply for and accept an Explosive Ordinance Disposal (EOD) Equipment Grant from the Georgia Emergency Management Agency (GEMA), in an amount not to exceed \$75,885.00, for the purpose of purchasing equipment for bomb investigations related to Homeland Security; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

- 08-R-0644 (5) A Resolution by Public and Legal Administration Committee authorizing the Mayor or her designee to apply for and accept an Explosive Ordinance Disposal (EOD) Equipment Grant from the Georgia Emergency Management Agency (GEMA), in an amount not to exceed \$362,747.00, for the purpose of purchasing equipment for bomb investigations related to Homeland Security for Hartsfield-Jackson Airport; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

- 08-R-0645 (6) A Resolution by Public and Legal Administration Committee authorizing the Chief Financial Officer to direct funds received from the sale of goods through Propertyroom.com, as authorized by Resolution 08-R-0068, to certain accounts; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

G. PAPERS HELD IN COMMITTEE

- 06-R-0433 (1) Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06) (Held 2/28/06 for further investigation at the request of Councilmember Muller)**
HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

06-O-1044 (2) An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**

HELD

06-O-1601 (3) An Ordinance by Councilman C. T. Martin to amend Article XXIII (Entitled "Vending on Public Property"), Division 1, Section 30-1401, of the Code of Ordinances of the City of Atlanta, Georgia, so as to exempt Disabled Veterans from most of the provisions of the Public Property Vending Code; to waive conflicting ordinances; and for other purposes. **(Held 8/15/06 for further review)**

HELD

06-O-1908 (4) A **Substitute** Ordinance by Public Safety and Legal Administration Committee amending Chapter 162, Article II, Division 1, Section 162-33 of the Code of Ordinances of the City of Atlanta, Georgia ("City"), on behalf of the Department of Police, Bureau of Taxicabs and Vehicles for Hire ("Department"), for the purpose of increasing the fees the City assesses Taxicab Drivers and Taxicab Companies in order to offset the funding that's provided by the City; to create a Taxicab Re-Inspection Fee, Horse-Drawn Carriage Company Permit Fee and Horse-Drawn Carriage Renewal Fee; and for other purposes. **(Public Hearing held 1/15/08)**
(Held 1/15/08 for a work session)

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-0078 (5) An Ordinance by Councilmember Cleta Winslow **as amended by Full Council** to amend Chapter 30, Article II, Section 30-26 (b), of the City of Atlanta Code of Ordinances, so that meetings of the License Review Board are not held during the month of December; and for other purposes. **(Amended by Full Council and referred back by Council 1/16/07) (Held 1/30/07 so that a copy of the ordinance can be forwarded to the NPU's for review and comment)**

HELD

- 07-O-0249 (6) An Ordinance by Councilmembers Kwanza Hall and Cleta Winslow authorizing the Mayor or her designee to grant an exemption to the City's Distance Requirements for on-premise consumption of alcohol and the sale of wine by the package on the 300 block of Walker Street. **(Held 2/13/07 for further review)**

HELD

- 07-R-0545 (7) Claim of **Nancy Montgomery**, for damages alleged to have been sustained as a result of a water main break during the installation of a sidewalk on June 6, 2006 at 2340 Hurst Drive, NE. **(Referred back from Council 4/16/07) (Held 5/1/07 at the request of Councilmember Shook)**

HELD

- 07-O-1522 (8) An Ordinance by Councilmembers Anne Fauver and Natalyn Archibong to amend Chapter 18, Article I, of the Code of Ordinances of the City of Atlanta, so as to prohibit the practice of inhumanely chaining or tethering dogs; and for other purposes. **(Held 7/31/07 at the request of the author for further review)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

07-O-1525 (9) An Ordinance by Councilmember Joyce Sheperd to amend Section 122-172 under Chapter 122, Article V, Division 2, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Secondary Metal Recycler is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**

HELD

07-O-1526 (10) An Ordinance by Councilmember Joyce Sheperd to amend Section 30-1503(a) under Chapter 30, Article XXV, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Self-Service Car Wash is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review)**

HELD

07-O-1795 (11) An Ordinance by Councilmember H. Lamar Willis to establish Chapter 21 of the Code of Ordinances of the City of Atlanta entitled "Transportation of Hazardous Materials"; to create a new Article I to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007," to create a new Division 1 to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007"; so as to prohibit large shipments of certain extremely hazardous materials near the City of Atlanta in an effort to reduce the risk of attacks by terrorists; to allow for the issuance of permits authorizing such shipments in special cases; to require the Mayor to issue regulations to implement the provisions of this act; and for other purposes. **(Held 8/28/07 for further review.)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1800 (12) An Ordinance by Councilmembers C. T. Martin, Ceasar C. Mitchell, H. Lamar Willis, Ivory L. Young, Jr. and Joyce Sheperd **as substituted by Public Safety and Legal Administration Committee** to create Section 106-13 of the Code of Ordinances of the City of Atlanta, Georgia to be entitled "Wearing of Pants Below the Waist in Public, Unlawful"; to waive conflicting ordinances; and for other purposes. **(Held 8/28/07 at the request of the author for a work session and a public hearing) (Substituted and held 9/11/07)**

HELD

- 07-O-1879 (13) An Ordinance by Public Safety and Legal Administration Committee to revise the City of Atlanta Code of Ordinances pertaining to secondary metal recyclers by amending the following Sections of Chapter 122, Article V, Divisions I and II; Section 122-151 (Definitions); Section 122-152 (Records Required); and Section 122-157 (Unlawful Acts); Section 122-171 (Required Application); to add the following new Sections to Chapter 122, Article V, Divisions I and II of the City of Atlanta Code of Ordinances: Section 122-158 (Daily Written Report to Police); Section 122-159 (Offenses; Defenses, Penalty); Section 122-160 (Possessor of Secondary Metals); Section 122-161 (License to Possess Secondary Metals); Section 122-162 (Revocation of License to Possess Secondary Metals); and Section 122-170 (Processing Application; Issuance of License, Possessor of Secondary Metals); to waive conflicting ordinances; and for other purposes. **(Public Hearing held on 10/30/07) (Held 10/30/07 for further review)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1905 (14) An Ordinance by Councilmember Mary Norwood to amend Article XXIV vending on Private Property; and for other purposes. **(Held 9/11/07 at the request of the Law Department)**

HELD

- 07-O-2137 (15) An Ordinance by Councilmembers Ceasar C. Mitchell, Ivory L. Young, Jr., C. T. Martin, Joyce Sheperd and Natalyn Archibong **as substituted by Public Safety and Legal Administration Committee** to create Section 98-26.1 of the Code of Ordinances of the City of Atlanta, Georgia to be entitled "Community Policing Training And Preparedness" (CoPTAP) Program which shall require that all members of each class of graduates from the Police Academy, be assigned to foot patrol duty for a period of not less than eight weeks; to waive all ordinances, rules, regulations, policies, practices and procedures in conflict herewith; and for other purposes. **(Held 10/9/07 for further review) (Substituted and held 4/1/08)**

SUBSTITUTED AND HELD

- 07-R-2294 (16) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to approve or reject the decision of the evaluator presiding in the early neutral evaluation process, an alternative dispute resolution process, in the matter of Veolia Water North America Operating Services, LLC v. City of Atlanta, in the U.S. District Court, Northern District of Georgia, Civil Action No. 06-CV-1457-TWT; and for other purposes. **(Held 10/30/07 for further review)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-2513 (17) An Ordinance by Councilmember Ceasar C. Mitchell to amend Ordinance #07-O-2135, adopted October 15, 2007 and approved October 22, 2007, amending Section 10-12 of the City Code, which amendment eliminated the provision allowing persons 18 years of age or older to provide entertainment in any premises licensed for the sale of alcoholic beverages, so as to exempt from said ordinance, those persons currently employed as entertainers with active and valid permits, which will afford such persons a "Grandfathered" status; and for other purposes. **(Held 11/27/07 at the request of the author)**

HELD

- 08-R-0118 (18) Claim of Alyssa Walz, Gregory Walz and Jenny Walz, for damages alleged to have been sustained as a result of a vehicle accident on September 11, 2007 at the intersection of Howell Mill Road and Chattahoochee Highway. \$1,298.60 **(Held 1/29/08 at request of the Law Department)**

HELD

- 08-O-0190 (19) An Ordinance by Councilmember H. Lamar Willis to amend Chapter 30, Article II of the City Code of Ordinances to reflect new fees for owners of Adult Entertainment establishments which sell alcohol to provide for certain programs for the prevention of sexual assault; and for other purposes. **(Held 1/29/08 at the request of the author)**

HELD

- 08-O-0398 (20) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Vehicles for Hire, to provide for a definition of Taxicab Safety Equipment; to require signage on applicable taxicabs alerting passengers to the presence of a Digital Security Camera System; to require the installation of taxicab safety equipment in all taxicabs; to authorize the Chief of Police or his/her designee to establish,

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PAPERS HELD IN COMMITTEE (CONT'D)

issue and revise rules, procedures and regulations to govern the specifications, installation and maintenance of the taxicab safety equipment, and to provide for enforcement of rules, procedures and regulations for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes. **(Held 3/11/08 for a Work Session Wednesday, March 19, 2008 at 10:00 a.m.)**

HELD

- 08-R-0400 (21) A Resolution by Public Safety and Legal Administration Committee to authorize the City Attorney to accept on behalf of the City of Atlanta Department of Law, the donation of training from various Law Firms and other entities; and for other purposes. **(Held 2/26/08 for further review)**

HELD

- 08-C-0434 (22) A Communication by Mayor Shirley Franklin appointing **Mr. William Lobb** to serve as a member of the License Review Board (LRB) for the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Held 3/11/08 for Mr. Lobb to appear before the committee)**

HELD

- 08-R-0474 (23) A Resolution by Public Safety and Legal Administration Committee authorizing the City Attorney to extend a retainer agreement with the Law Firm of Morris, Manning & Martin, LLP to serve as outside counsel to the City of Atlanta in connection with cases styled: Veolia Water North America Operating Services, LLC F/K/A U. S. Filter Operating Services, Inc. v City of Atlanta, Civil Action No. 06-CV-1457, City of Atlanta v. Veolia Water North America Operating

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PAPERS HELD IN COMMITTEE (CONT'D)

Services, F/K/A U.S. Filter Operating Services, Inc., Civil Action No. 2006-CV-119510; City of Atlanta v. Veolia Environment, S.A. F/K/A Vivendi Environment, S.A., Civil Action No. 1:06-CV-1631, Veolia Water North America Operating Services, LLC F/K/A U.S. Filter Operating Services, Inc., Civil Action No. 2006-CV-118577 to authorize expenditures for that purpose in an amount not to exceed \$1,500,000.00, to be charged to and paid from Fund, Account and Center Number: 2J01 (Water and Wastewater) 524001 (Professional Consultant Services) Q30001 (Deputy Commissioner, Treatment & Collection). **(Held 3/11/08 for further review)**

HELD

- 08-O-0507 (24) An Ordinance by Councilmember Mary Norwood to create a new Section 105-15 of the Code of Ordinances of the City of Atlanta, Georgia, to be entitled "Loitering"; and for other purposes. **(Held 3/11/08 for further review by the Law Department)**

HELD

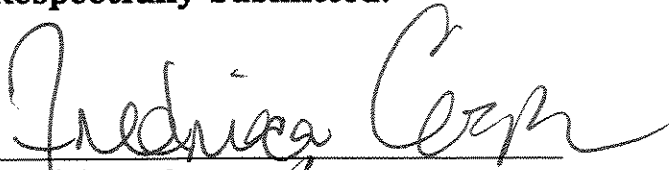
H. REQUESTED ITEMS

1. Councilmember Martin made a request to have David Edwards to appear before the Committee during the next meeting to discuss the privatization of the Public Defender and Solicitor Offices. He also requested Mr. Jerry Deloach to bring a "white paper" advising the committee of proposed changes in the staffing and structure of the Municipal Court, the legal ramifications related thereto, and the legislation necessary to effectuate said proposed changes.
2. Councilmember Winslow made a request to have the Fire & Rescue Department to provide an update on the rebuilding of the Fire Stations.

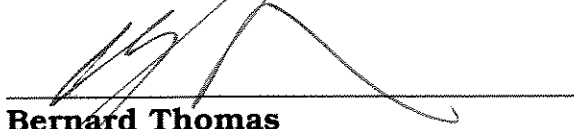
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There being no further business to come before the Committee, the meeting was adjourned at 5:17 p.m.

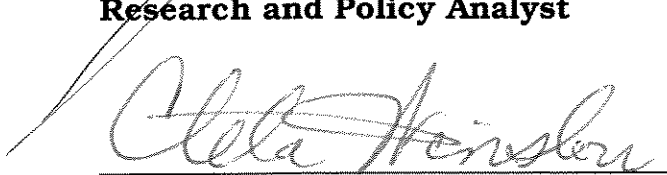
Respectfully Submitted:



Fredriecca Cooper
Legislative Assistant



Bernard Thomas
Research and Policy Analyst



The Honorable Cleta Winslow, Chair
Public Safety and Legal Administration Committee